

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ZACK KAPLAN, BEN KAPLAN,
MICHAEL KAPLAN, ELI KAPLAN,
and MICHAEL MAZZOTTA,
Individually and on Behalf of
Themselves and All Others Similarly
Situated,

Plaintiffs,

v.

ALEXANDER MASHINSKY,
SHLOMI “DANIEL” LEON,
HANOCH GOLDSTEIN, HARUMI
URATA-THOMPSON, JEREMIE
BEAUDRY, KRISTINE
MASHINSKY, AM VENTURES
HOLDING, INC., KOALA1 LLC, and
WINTERMUTE TRADING LTD.,

Defendants.

No. 2:22-CV-04560-SDW-ESK

DECLARATION OF
SERVICE IN CONNECTION
WITH MOTION TO
WITHDRAW APPEARANCE

Jonathan Ohring, Esq. makes the following declaration pursuant to 28 U.S.C.

§ 1746:

1. I am a Counsel with the law firm Yankwitt LLP (the “Firm”), attorneys for defendants Alexander Mashinsky, AM Ventures Holding, Inc., and Koala1 LLC (“Defendants”) in the above-captioned case. I am the Firm’s counsel of record in this matter. As such, I am fully familiar with all the prior facts and circumstances herein.

2. I submit this Declaration in support of the motion to withdraw my appearance for Defendants (Dkt. No. 91) (the “Motion”).

3. The undersigned filed the Motion on December 22, 2023, together with a declaration in support.

4. On December 27, 2023, the Court entered an order on the Motion (Dkt. No. 94) (the “Order”), scheduling a telephonic hearing on the Motion on January 25, 2024 at 10:30am, at which Defendants are required to appear, and setting January 10, 2024 as the deadline for any opposition to the Motion.

5. The Order required the undersigned to “provide the Mashinsky Defendants by e-mail, regular mail, and certified mail - return receipt requested with: (1) notice of the date, time, and dial-in information of the hearing; (2) the briefing schedule on the motion; (3) the opportunity to email and mail responses to the Mashinsky Defendants’ counsel, which the Mashinsky Defendants’ counsel is to then file on the docket; and (4) a copy of this text order.”

6. The Order required the undersigned to file proof of service of the aforementioned notices on the Defendants.

7. The undersigned hereby declares that on December 29, 2023, the Firm sent the aforementioned notices to Defendants by e-mail, regular mail, and certified mail – return receipt requested. The same day, the undersigned received an e-mail response from Mr. Mashinsky confirming that he would join the January 25

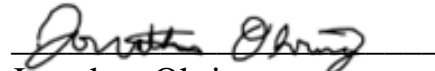
telephonic hearing. In addition, on January 4, 2024, the Firm received confirmation from the U.S. Postal Service that the mailing had been delivered to Defendants' address on January 2, 2024.

8. Service on Defendants has therefore been completed.

9. The January 10, 2024 deadline for the filing of any opposition to the Motion has passed. No opposition has been filed, and the undersigned did not receive any response to the Motion from the Defendants.

10. Accordingly, the undersigned respectfully requests issuance of an order withdrawing the undersigned's appearance as counsel for Defendants.

Dated: January 11, 2024
White Plains, New York


Jonathan Ohring